

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

No. 15-41077
c/w No. 15-41078
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED
April 5, 2016

Lyle W. Cayce
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

LAWRENCE MICHAEL DAY,

Defendant-Appellant

Appeals from the United States District Court
for the Eastern District of Texas
USDC No. 4:14-CR-55-1
USDC No. 4:13-CR-94-1

Before JOLLY, DENNIS, and PRADO, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Lawrence Michael Day has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Day has not filed a response. We have reviewed counsel's brief and the relevant portions of the record reflected therein. We concur with counsel's

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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assessment that the appeals present no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEALS ARE DISMISSED. *See* 5TH CIR. R. 42.2.

However, the judgment contains a clerical error. Day was convicted of conspiring to commit mail and wire fraud, and the written judgment reflects that he was convicted of conspiring to commit mail and wire fraud affecting a financial institution. We therefore REMAND to the district court for correction of this clerical error. *See* FED. R. CRIM. P. 36.